

Chapter 12.28**SIDEWALKS--MAINTENANCE**

(38-1/10)

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12.28.010 Sidewalk defined. In this chapter, "sidewalk" means the strip of land between the curb line of the street and the inside property line, whether covered with a cement walk or not. (38-1/10)

12.28.020 Property owner abutting. All persons owning or occupying any real property in this city fronting upon any public street, lane or alley of this city, are required to keep the sidewalks immediately in front of said property free from weeds and all vegetation growing thereon, except such as may be sown or planted for purposes of ornamentation, and free from dirt, filth, garbage or rubbish, other than the natural soil of the same, and to keep said sidewalk and said space free from any hole or holes, or any obstructions dangerous to life or limb. (38-1/10)

12.28.030 Excavating permitted. Nothing herein contained shall prevent excavating through or across any sidewalk where such excavating is done in accordance with the terms and provisions of any other ordinance of this city, and in accordance with the regulations therein contained covering the excavation. (38-1/10)

12.28.040 Rubbish and weeds--Declared nuisance. Any such weeds or rubbish on any such sidewalk is declared to be a nuisance. (38-1/10)

12.28.050 Rubbish and weeds--Notice to remove. It shall be the duty of the superintendent of streets to notify the occupants and owners of any premises in this city to remove, within ten days from the receipt of such notice, all such weeds and rubbish from the sidewalks in front thereof, and that upon a failure to do so within said ten days, the council will cause the weeds and rubbish to be removed at the expense of the owner or occupant. (38-1/10)

12.28.060 Rubbish and weeds--Notice service. Such notice shall be given in writing, by serving personally upon the occupant (if there be any occupant) and upon the owner, each copy of such notice, directed to the occupant (if any) and the owner. (38-1/10)

12.28.070 Rubbish and weeds--Notice to nonresident owner. If the owner is a nonresident of this city, notice shall be given by serving the occupant personally and by mailing, by mail, a like copy in writing to the owner at his last known address as shown by the last assessment roll of this city. (38-1/10)

12.28.080 Rubbish and weeds--Posting notice on premises. If there be no occupant, notice shall be given by posting a copy of the notice in a conspicuous place upon the premises, and serving a copy upon the owner as hereinbefore provided. (38-1/10)

12.28.090 Rubbish and weeds--Failure to comply. If at the expiration of ten days from the sending or service of the notice, the weeds and other rubbish are not removed from the sidewalk, the superintendent of streets shall thereupon report the delinquency to the council, with an estimate of the probably cost of doing the work. (38-1/10)

12.28.100 Rubbish and weeds--City clears area. The council must then order the superintendent of streets to do the work at the expense of the owner and occupant of the property, and provide for the temporary payment of the same with city funds. (38-1/10)

12.28.110 Rubbish and weeds--Clearance--Extension of time. The council may, in its discretion, extend the time within which the work must be done. (38-1/10)

12.28.120 Rubbish and weeds--Removal by city--Statement. At the completion of the work, the superintendent of streets must prepare a statement of the proceedings, reciting the existence of the nuisance, the description of the property, the names of the owners and occupants, the giving of the notice, the hearing by the council, the making of the order by the council, the doing of the work and the cost thereof, and the manner of making the demand; which statement must be signed and verified by the oath of the superintendent of streets. (38-1/10)

12.28.130 Rubbish and weeds--Removal by city--Collection. The superintendent of streets shall then collect the said amount from the owner and occupant (if any) who shall be jointly and severally liable. (38-1/10)

12.28.140 Rubbish and weeds--Claim filed with recorder. If the claim is not paid within thirty days from demand by the council, the council may order the statement to be recorded in the office of the county recorder of Orange County, California. (38-1/10)

12.28.150 Rubbish and weeds--Mailing of statement to owner. If the owner is a nonresident of this city, it shall be a sufficient demand, for the purposes of this chapter, for the superintendent of streets to mail a copy of the statement to the owner. (38-1/10)

12.28.160 Rubbish and weeds--Claims becomes lien--Foreclosure. The statement, when recorded in the office of the county recorder of Orange County, shall be a lien upon the property described therein, which may be foreclosed by the city in like manner as liens are foreclosed under the provisions of the Code of Civil Procedure of the state of California. (38-1/10)

12.28.170 Violation--Misdemeanor. Failure to keep the sidewalks clear or clean as provided in section 12.28.020 shall be a violation of this chapter; and for every lot whose sidewalk frontage is so obstructed with rubbish or trash, or overgrown with weeds as set forth in section 12.28.020 there shall be counted a separate violation of this chapter, and that or any other violation of this chapter shall constitute a MISDEMEANOR. (38-1/10)